Amendment to the Drawings:

The attached sheets of drawings include changes to Figures 1-4B. These sheets, which includes Figures 1-4B, replace the original sheets including Figures 1-4B. Each sheet has been added the label "Prior Art."

Attachment: Replacement Sheet

Annotated Sheet Showing Changes

REMARKS

Claims 1-44 are pending in the application. The position set forth in the Office Action has been carefully considered. Reconsideration is respectfully requested.

I. ALLOWABLE SUBJECT MATTER

Applicants acknowledge with appreciation the allowance of claim 36. Applicants believe that other pending claims (i.e., claims 1-35, and 37-44) are also in condition for allowance for at least the reasons set forth below.

II. DRAWINGS

Drawings stand objected to. Figures 1-4B have been now labeled as prior art. Withdrawal of the objections is respectfully requested.

III. REJECTIONS OF CLAIMS 1-35 AND 37-43 UNDER 35 U.S.C. § 102

Claims 1-35, and 37-44 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the admitted prior art (APA) in Figures 1-4B of the present application. All pending claims are believed to be allowable for at least the following reasons. Essentially, it is not seen how the background section of the application suggests linking the ARP protocol to load balancing. Withdrawal of the rejection is respectfully requested.

The present invention as recited in independent claims 1, 8, 10, 17, 19, 26, 32, 34, 36, and 37 is directed to providing gateway services to hosts. Most of these claims recite load balancing gateway services. Independent claim 1 requires, *inter alia*, "in response to the received *ARP* message, and based on *load balancing* considerations, selecting one of the plurality of gateway devices." Other independent claims 8, 10, 17, 19, 26, 32, 34, and 37 contain recitations similar to those of independent claim 1.

The Office Action rejects claims 1-35, and 37-44 under § 102(b) based on the background description of the present specification. Applicants respectfully disagree.

35 U.S.C. § 102(b) is not applicable here because the rejections employ two separate teachings on ARP and load balancing. In the background section of the present specification, description regarding an HSRP system using ARP refers to Figures 1-3. On the other hand, description about load balancing refers to Figures 4a and 4b. These teachings on different technologies are separate and independent. A mere fact that the descriptions on two subject matters are in the same background section cannot justify the § 102(b) rejections.

In addition, APA does not provide any motivation to combine the teachings on two

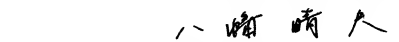
different technologies. Therefore, it is respectfully submitted that the Office cannot rely upon APA to reject claims 1-35, and 37-44 under § 103 as well.

In view of the foregoing, the invention defined in independent claims 1, 8, 10, 17, 19, 26, 32, 34, and 37, and their dependent claims is believed to be patentable over the cited art. Withdrawal of the rejections is respectfully requested.

IV. CONCLUSION

Applicants believe that all pending claims are in condition for allowance and respectfully request a Notice of Allowance at an early date. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 510-663-1100, ext. 245.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



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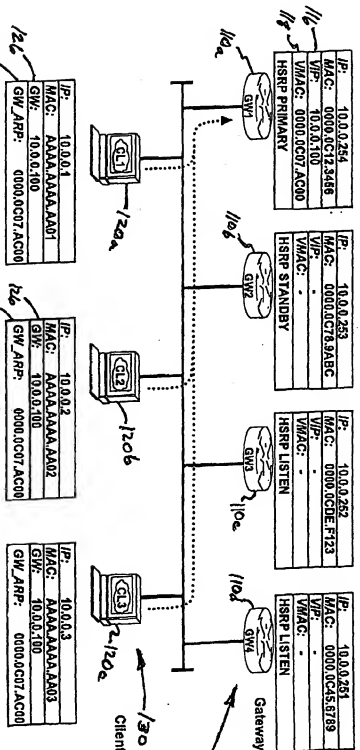

Figure 1. HSRP with 4 participating routers in Normal mode

PRIOR ART

label added

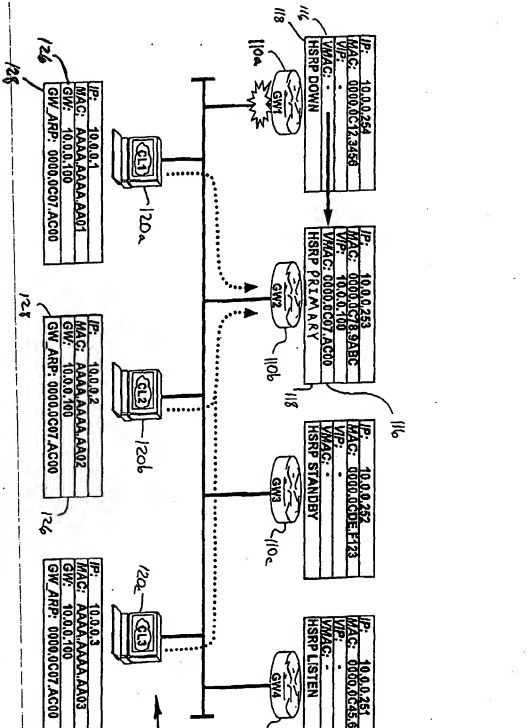

Figure 2. HSRP with 4 participating routers in Failover mode

PRIOR ART

label added

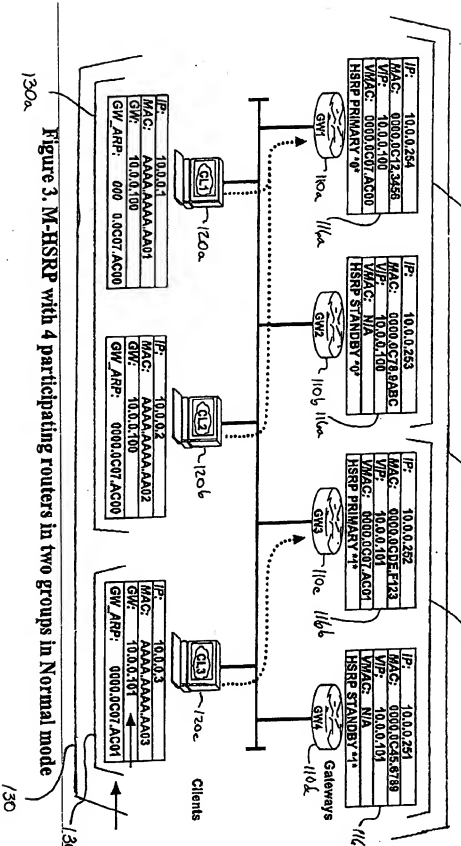

Figure 3: M-HSRP with 4 participating routers in two groups in Normal mode

label added

PRIOR ART

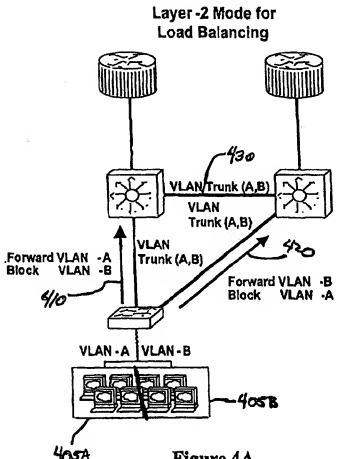

Figure 4A

label added

PRIOR ART

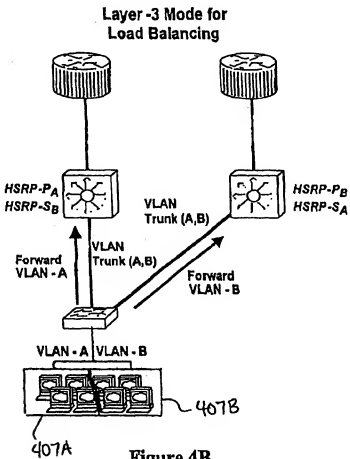

Figure 4B

label added

PRIOR ART